

Release  
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**SUMMARY OF CASES ACCEPTED  
DURING THE WEEK OF FEBRUARY 15, 1999**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.]

#99-13 Bechtel v. City of Beaumont, S074946. (E021720.) Unpublished opinion. Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents an issue, concerning whether a public employee who suffers an adverse employment decision must have the factual findings made in the local administrative proceeding set aside in order to avoid collateral estoppel effect in a subsequent court action under the Fair Employment & Housing Act, which is related to an issue before the court in Johnson v. City of Loma Linda, S074261. (See #98-170.)

#99-14 People v. Biddle, S075083. (B114485.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning whether the actual thief may be convicted of receiving stolen property when the statute of limitations for theft has not run, which is related to an issue before the court in People v. Allen, S070028. (See #98-68.)

(over)

#99-15 People v. Collins, S075232. (A079808.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case concerns whether a defendant's waiver of jury trial was knowing and intelligent in light of the trial court's comments at the time of the waiver.

#99-16 People v. Du, S075171. (B110122; B120896.) Unpublished opinion. Petition for review after the Court of Appeal modified a sentence and otherwise affirmed judgments of conviction of criminal offenses and denied a petition for writ of habeas corpus. This case presents an issue, concerning whether a juror was properly removed for refusing to deliberate, which is related to an issue before the court in People v. Metters, S069442. (See #98-70.)

#99-17 People v. Gonzales, S075153. (C027614.) Unpublished opinion. Petition for review after the Court of Appeal modified the sentence and otherwise affirmed a judgment of conviction of criminal offenses. This case presents an issue, concerning whether multiple enhancements for use of a firearm may be imposed on different robbery counts for a single menacing display of the firearm, which is related to an issue before the court in In re Tameka C., S068192. (See #98-49.)

#99-18 People v. Hernandez, S074951. (B113624.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case concerns whether, after two juries were unable to reach agreement as to defendant's sanity as to a number of counts in a criminal proceeding, the trial court erred (1) in dismissing the sanity phase pursuant to Penal Code section 1385, subdivision (a) on the ground defendant would be unable to meet his burden of proof on that issue, and (2) in declaring defendant sane.

#99-19 People v. Thomas, S075090. (B115359; 67 Cal.App.4th 661, mod. 68 Cal.App.4th 623b.) Petition for review after the Court of Appeal remanded for

resentencing, ordered reduction in presentence credits, and otherwise affirmed a judgment of conviction of criminal offenses. This case concerns whether the 15 percent limitation imposed by Penal Code section 2933.1 on presentence credits applies to all defendants sentenced to indeterminate life sentences under the Three Strikes Law, or only to those defendants whose current offenses independently would be punishable by life imprisonment or otherwise fall within the offenses specified in section 2933.1.

#99-20 People v. Whitworth, S075158. (H017022; 67 Cal.App.4th 516.)  
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents an issue, concerning whether a defendant may bring a collateral challenge to the constitutionality of a prior conviction in a pending action on the grounds defendant had not been adequately advised prior to an earlier guilty plea, which is related to an issue before the court in People v. Allen, S054125. (See #97-161.)

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